

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32600 of 2024

Arising Out of PS. Case No.-82 Year-2015 Thana- KOCHAS District- Rohtas

Abhinav Singh @ Avinav Yadav Son of Raja Ram Singh Resident of village -
Indrahiya, P.S.- Sasaram (M), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwari, Adv.

For the Opposite Party/s : Mr.Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 26-07-2024

1. Heard the parties.

2. Petitioner seeks regular bail in connection with
Kochas (Parsathua O.P.) P.S. Case No. 82 of 2015 dated
30.06.2015 registered for the offence(s) punishable under
Section(s) 395 of the Indian Penal Code.

3. Mr. Ajay Kumar Tiwari, learned counsel for the
petitioner submits that the occurrence took place in the year
2015 while the petitioner has been remanded in this case on
19.12.2023, after eight years of the occurrence on the basis of
confessional statement of co-accused, Munna Choudhary which
has got no evidentiary value. The instant matter relates to loot of
a truck but after the occurrence the truck was recovered on the
basis of secret information in abandoned condition. It is further
submitted that petitioner has been languishing in jail since



19.12.2023 and most of the co-accused persons are on bail and he has not been put on Test Identification Parade in the present matter.

4. Though, Mr. Binod Kumar No.3, learned APP appearing for the State opposes the bail prayer of the petitioner but fairly accepted that except the call details between the petitioner and the co-accused at the relevant time there is no material in the case diary to show the petitioner's involvement in the alleged crime.

5. Having regard to the above submissions and mainly considering that the petitioner was remanded in the present matter after eight years of the occurrence and in respect of his involvement, in the alleged crime, the prosecution is mainly relying upon the call details between the petitioner and co-accused as well as confessional statement of co-accused given before the police and the alleged looted truck was recovered in abandoned condition, as stated above, and most of the co-accused are on bail, in my opinion, in the said circumstances, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be released on bail in connection with Kochas (Parsathua O.P.) P.S. Case No. 82 of 2015 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two



sureties of the like amount each to the satisfaction of the Court
concerned.

(Shailendra Singh, J)

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